

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

CHRISTOPHER E. JOHNSON,

Plaintiff,

v.

CIVIL ACTION NO. 3:11-0382

VERIZON COMMUNICATIONS,

Defendant.


MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that Defendant's Motion to Dismiss (Doc. #4) be granted; and this civil action be dismissed, with prejudice, and removed from the docket of this Court. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **ORDERS** that Defendant's Motion to Dismiss (Doc. #4) be granted; and this civil action be dismissed, with prejudice, and removed from the docket of this Court, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: September 16, 2011



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE